

**Congress of the United States**  
**Washington, DC 20515**

May 17, 2006

The Honorable Joseph H. Boardman  
Administrator, Federal Railroad Administration  
U.S. Department of Transportation  
400 7th Street, S.W.  
Washington, D.C. 20590

Dear Administrator Boardman:



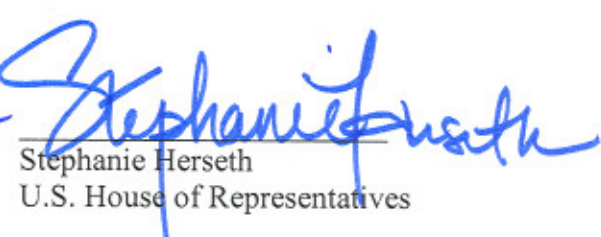
We are writing to voice our concerns about a recently released document entitled "FRA Loan Creditworthiness Study," which was prepared by opponents of the DM&E Railroad's Powder River Basin (PRB) project.

In particular, we have concerns about the objectivity of this report. The sponsors of the study have clearly indicated that they oppose the PRB project, which raises questions about the impartiality of their analysis. Clearly, a more credible source of information regarding DM&E's finances is the railroad itself. We request that you give appropriate deference to the information it has provided to you regarding its financial condition and consider the source of other information that you receive.

If completed, the DM&E project would create thousands of jobs, expand grain market access for farmers, and generate considerable economic development opportunities in our state and throughout the region. Fifty-five of the 56 communities along the DM&E line have reached agreements with the railroad regarding rail traffic and mitigation issues, and we unanimously support the project.

We know that you are conducting your own independent review in this matter and that the FRA has a strong track record of issuing sound loans to all classes of railroads. We appreciate your diligent work and encourage you to complete your analysis of this loan application as soon as possible.

Sincerely,

		
Tim Johnson U. S. Senate	John Thune U. S. Senate	Stephanie Herseth U.S. House of Representatives